



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT MIGORI**

**CIVIL APPEAL NO. 96 OF 2015**

**SOUTH NYANZA SUGAR CO. LTD.....APPELLANT**

**-versus-**

**SIMEONA A. OPALA.....RESPONDENT**

**DIRECTIONS**

1. As I retired to write the judgment in this matter I realized that there must have been a mix-up of documents while preparing the Record of Appeal. Whereas this appeal arises from **Migori Chief Magistrates Court Civil Case No. 554 of 2014 Simeona A. Opala -vs- South Nyanza Sugar Co. Ltd**, the proceedings in the Record of Appeal bear the similar No. 554 of 2014 but different parties **Jared Otieno Anyango -vs- South Nyanza Sugar Co. Ltd.**

2. I have also perused the lower court file in this appeal. The same is **Migori Chief Magistrates Court Civil Case No. 554 of 2014 Jared Otieno Anyango -vs- South Nyanza Sugar Co. Ltd** instead.

3. In view of the state of the record the judgment is hereby adjourned *sine dire* and I hereby issue the following directions: -

a) **The Appellant to regularize the state of the record in this appeal by liaising with the Deputy Registrar to avail the correct lower court file.**

b) **Leave is hereby granted to the Appellant to file and serve a Supplementary Record of Appeal within 14 days of today and introduce the correct proceedings in the lower court and any other document(s) which may be missing as part of the record before this Court.**

c) **This matter is hereby fixed for further directions on 20/09/2017.**

**DELIVERED, DATED and SIGNED at MIGORI this 27<sup>th</sup> day of July 2017.**

**A. C. MRIMA**

**JUDGE**